PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To: J. SCOTT DAVIDSON DAVIDSON BERQUIST JACKSON & GOWDEY LLP 4300 WILSON BLVD., 7TH FLOOR ARLINGTON, VA 22203	# PCT WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43*bis*.1)

Date of mailing *(day/month/year)* 2 9 JUL 2008	

Applicant's or agent's file reference 2540-1062	FOR FURTHER ACTION See paragraph 2 below

International application No. PCT/US07/17700	International filing date *(day/month/year)* 09 August 2007 (09.08.2007)	Priority date *(day/month/year)* 10 August 2006 (10.08.2006)

International Patent Classification (IPC) or both national classification and IPC

IPC: G06F 15/16(2006.01),15/173(2006.01),15/177(2006.01)
USPC: 709/203,217

Applicant

AVOCENT HUNTSVILLE CORPORATION

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1. This opinion contains indications relating to the following items:

☒ Box No. I — Basis of the opinion

☐ Box No. II — Priority

☐ Box No. III — Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

☐ Box No. IV — Lack of unity of invention

☒ Box No. V — Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

☐ Box No. VI — Certain documents cited

☐ Box No. VII — Certain defects in the international application

☐ Box No. VIII — Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1*bis(b)* that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/ US Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (571) 273-3201	Date of completion of this opinion 03 June 2008 (03.06.2008)	Authorized officer /Haresh N. Patel/ Haresh N. Patel Telephone No. 571-272-3973

Form PCT/ISA/237 (cover sheet) (April 2007)

Box No. I Basis of this opinion

1. With regard to the **language**, this opinion has been established on the basis of:

   ☒ the international application in the language in which it was filed

   ☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

2. ☐ This opinion has been established taking into account the **rectification of an obvious mistake authorized by or notified to this Authority under Rule 91 (Rule 43*bis*.1(a))**

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, this opinion has been established on the basis of:

   a. type of material

   ☐ a sequence listing

   ☐ table(s) related to the sequence listing

   b. format of material

   ☐ on paper

   ☐ in electronic form

   c. time of filing/furnishing

   ☐ contained in the international application as filed.

   ☐ filed together with the international application in electronic form.

   ☐ furnished subsequently to this Authority for the purposes of search.

4. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

5. Additional comments:

Form PCT/ISA/237(Box No. I) (April 2007)

Box No. V Reasoned statement under Rule 43 *bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)   Claims NONE _____ YES
                               Claims 1-6 _____ NO

Inventive step (IS)   Claims NONE _____ YES
                               Claims 1-6 _____ NO

Industrial applicability (IA) Claims 1-6 _____ YES
                               Claims NONE _____ NO

2. Citations and explanations:

Please See Continuation Sheet

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In case the space in any of the preceding boxes is not sufficient.

V. 2. Citations and Explanations:
Claims 1-6 meet the criteria set out in PCT Article 33 (4) and thus contain industrial applicability because the subject matter claimed can be made or used in industry.

Claims 1-6 lack novelty under PCT Article 33(2) as being anticipated by REYNOLDS et al., US 2004/0064198, April 1, 2004 (Hereinafter REYNOLDS).

Referring to claim 1, REYNOLDS a virtualized desktop system comprising: a network; a target device connected to said network via a network interface (page 3); an interfacing module coupled to a peripheral port of said target device and to said network (page 3); a digital user station, connected to said network (page 3), configured to be coupled to peripherals corresponding to peripheral ports of said target device thereby accessing and controlling the operation of the target device via said network using interfacing module coupled to the target device (page 3), wherein the digital user station controls a power operation of the interfacing module by controlling a power cycling operation of the target device via said network (page4).

Referring to claim 2, REYNOLDS discloses the claimed limitations as rejected above. REYNOLDS also does wherein said interfacing module is coupled to a USB peripheral port of said target device and receives its power therefrom (page 5).

Referring to claim 3, REYNOLDS discloses the claimed limitations as rejected above. REYNOLDS also does in a virtualized desktop system where a digital user station communicates with an interfacing module coupled to a target device via a network (page 3), a method

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for controlling a power operation of the interfacing module comprising the steps of: at the digital user station: determining power status

of the interfacing module (page 3); sending a power control packet to the target device the interfacing module is coupled to (page 3),

where the power control packet changes power state of the target device which thereby changes the power state of the interfacing module

(page 4).

Referring to claim 4, REYNOLDS discloses the claimed limitations as rejected above. REYNOLDS also does wherein said interfacing

module is coupled to a USB peripheral port of said target device and receives its power therefrom (page 5).

Referring to claim 5, REYNOLDS discloses the claimed limitations as rejected above. REYNOLDS also does in a virtualized desktop

system where a digital user station communicates with an interfacing module coupled to a target device via a network (page 3), a method

for controlling a power state of the target device comprising the steps of: at the digital user station: determining the power status of the

interfacing module (page 3); determining the power status of the target device based at least in part on the power status of the interfacing

module (page 3); sending a power control packet to the target device the interfacing module is coupled to, where the power control

packet changes the power state of the target device (page 4).

Referring to claim 6, REYNOLDS discloses the claimed limitations as rejected above. REYNOLDS also does wherein said interfacing

module is coupled to a USB peripheral port of said target device and receives its power therefrom (page 5).

Claims 1-6 lack novelty under PCT Article 33(2) as being anticipated by BURGESS et al., US 2005/0198245, September 8, 2005
(Hereinafter BURGESS).

Referring to claim 1, BURGESS a virtualized desktop system comprising: a network; a target device connected to said network via a

network interface (page 3); an interfacing module coupled to a peripheral port of said target device and to said network (page 3); a digital

user station, connected to said network (page 3), configured to be coupled to peripherals corresponding to peripheral ports of said target

device thereby accessing and controlling the operation of the target device via said network using interfacing module coupled to the

target device (page 3), wherein the digital user station controls a power operation of the interfacing module by controlling a power

cycling operation of the target device via said network (page4).

Referring to claim 2, BURGESS discloses the claimed limitations as rejected above. BURGESS also does wherein said interfacing

module is coupled to a USB peripheral port of said target device and receives its power therefrom (page 5).

Referring to claim 3, BURGESS discloses the claimed limitations as rejected above. BURGESS also does in a virtualized desktop

system where a digital user station communicates with an interfacing module coupled to a target device via a network (page 3), a method

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for controlling a power operation of the interfacing module comprising the steps of: at the digital user station: determining power status of the interfacing module (page 3); sending a power control packet to the target device the interfacing module is coupled to (page 3), where the power control packet changes power state of the target device which thereby changes the power state of the interfacing module (page 4).

Referring to claim 4, BURGESS discloses the claimed limitations as rejected above. BURGESS also does wherein said interfacing module is coupled to a USB peripheral port of said target device and receives its power therefrom (page 5).

Referring to claim 5, BURGESS discloses the claimed limitations as rejected above. BURGESS also does in a virtualized desktop system where a digital user station communicates with an interfacing module coupled to a target device via a network (page 3), a method for controlling a power state of the target device comprising the steps of: at the digital user station: determining the power status of the interfacing module (page 3); determining the power status of the target device based at least in part on the power status of the interfacing module (page 3); sending a power control packet to the target device the interfacing module is coupled to, where the power control packet changes the power state of the target device (page 4).

Referring to claim 6, BURGESS discloses the claimed limitations as rejected above. BURGESS also does wherein said interfacing module is coupled to a USB peripheral port of said target device and receives its power therefrom (page 5).

Claims 1-6 lack novelty under PCT Article 33(2) as being anticipated by FUNG, US 2005/0108582, May 19, 2005 (Hereinafter FUNG). Referring to claim 1, FUNG a virtualized desktop system comprising: a network; a target device connected to said network via a network interface (page 4); an interfacing module coupled to a peripheral port of said target device and to said network (page 4); a digital user station, connected to said network (page 4), configured to be coupled to peripherals corresponding to peripheral ports of said target device thereby accessing and controlling the operation of the target device via said network using interfacing module coupled to the target device (page 4), wherein the digital user station controls a power operation of the interfacing module by controlling a power cycling operation of the target device via said network (page 5).

Referring to claim 2, FUNG discloses the claimed limitations as rejected above. FUNG also does wherein said interfacing module is coupled to a USB peripheral port of said target device and receives its power therefrom (page 6).

Referring to claim 3, FUNG discloses the claimed limitations as rejected above. FUNG also does in a virtualized desktop system where a digital user station communicates with an interfacing module coupled to a target device via a network (page 4), a method for controlling a power operation of the interfacing module comprising the steps of: at the digital user station: determining power status of the

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interfacing module (page 4); sending a power control packet to the target device the interfacing module is coupled to (page 4), where the

power control packet changes power state of the target device which thereby changes the power state of the interfacing module (page 5).

Referring to claim 4, FUNG discloses the claimed limitations as rejected above. FUNG also does wherein said interfacing module is

coupled to a USB peripheral port of said target device and receives its power therefrom (page 6).

Referring to claim 5, FUNG discloses the claimed limitations as rejected above. FUNG also does in a virtualized desktop system where a

digital user station communicates with an interfacing module coupled to a target device via a network (page 4), a method for controlling

a power state of the target device comprising the steps of: at the digital user station: determining the power status of the interfacing

module (page 4); determining the power status of the target device based at least in part on the power status of the interfacing module

(page 4); sending a power control packet to the target device the interfacing module is coupled to, where the power control packet

changes the power state of the target device (page 5).

Referring to claim 6, FUNG discloses the claimed limitations as rejected above. FUNG also does wherein said interfacing module is
coupled to a USB peripheral port of said target device and receives its power therefrom (page 6).